



PATENT APPLICATION
SERIAL NO. 09/676,380:
ATTORNEY DOCKET NO. 99-057:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1646 :
In Re Application of : SOLUBLE EPIDERMAL GROWTH FACTOR
ANDRE T. BARON, et al. : RECEPTOR-LIKE PROTEINS AND THEIR
Serial No. 09/676,380 : USES IN CANCER DETECTION METHODS
Filed: September 29, 2000 :
Examiner: Janet L. Andres :

Carroll
7.17.03

DECLARATION UNDER 37 CFR 132

Andre Baron, Ph.D., hereby declares as follows:

- (1) I am one of the named inventors in the above-identified application.
- (2) I have read the above-identified patent application and the Office Actions of December 3, 2001, May 7, 2002, September 21, 2002 and January 14, 2003, and understand their contents. In the Office Action of January 14, 2003, claims 9-17 were rejected because some of the authors on the *J. Immunol. Methods*, 219:23-43 (October 1, 1998) are not listed as inventors on this application and thus are deemed others under MPEP 213 (III).
- (3) The work in the paper was conceived, designed, tested and validated by Nita Maihle and myself. The other authors on that paper made the following contributions to the work

therein. Madame Lafky and Dr. Boardman provided technical support under my direction and supervision; Dr. Connolly and Madame Peoples constructed plasmid psErbB1ECD589 and generated a transfected cell line that produced the ErbB1ECD589 protein that was used in testing the ALISA; Dr. O. Kane provided technical advice and access to laboratory resources; Dr. Suman was the statistician on the paper and Dr. Podratz provided biological samples. In short, to the extent the invention is described in the cited reference, it is the Applicants own work.

- (4) I hereby declare that all statements made herein of my own knowledge are true; and that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

5/14/03

Date

Andre T. Baron

Andre Baron, Ph.D.